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afforded a refuge from pecuniary distress; and procured her an unexpected source of consolation, in the eager desire with which the veteran sailors crowded her door, entreating to see the children, those interesting portraits of their late revered commander."—p. 308.

Captain Smyth has rendered a service to his profession and his country by publishing these Memoirs of his friend. Yet we wish that he may be induced to perform a further service to both, and a further justice to the dead, by giving us more of Beaver's papers, of his journals and his letters; for, if ever there was a man whose secret thoughts would bear exposure to the world, it was this. Were these remains collected and published, with his *African Memoranda*, in such a form as would put them within reach of that wider public, to whom such a work would be equally acceptable and useful, they ought to be put into the hands of every midshipman, and of every young soldier as well; and they would form for their author a more durable monument than could have been erected to him in Westminster-Abbey or St. Paul's.

ART. VI.—*Reise Sr. Hoheit des Herzogs Bernard zu Sachsen-Weimar-Eisenach durch Nord America, in den Jahren 1825 und 1826. Heraus-gegeben von Heinrich Luden. Weimar. 1828.*

2. *Travels in North America in the Years 1827 and 1828. By Captain Basil Hall, Royal Navy. 3 vols. 12mo. Edin. 1829.*

THOUGH a vast number of travellers have visited America of late years, and have communicated to the public a vast body of facts and observations, none of them have contrived to inspire any great confidence in the European public. None of their representations enable even the most attentive readers to trace in the existing condition of manners, education, civilization, and social progress, the actual effects of the system of government adopted in the United States. Most of the travellers have made only hasty flights through the republic; have steamed up the rivers or along the shores, from province to province; or in crowded speedy waggons, misnamed mails, have posted, without intermission, from the capital of one state to that of another—made a short residence in each; conversed at the public tables, or in the boarding-houses, with the persons who sat near them at the rapidly dispatched meals; and then fancied themselves qualified to impart to the European world some information respecting their descendants beyond the Atlantic. Such travellers commonly have had personal objects which engrossed the greater part of their attention. Many of them went out crammed with commercial or agri-

cultural projects ; and finding the natives quite as acute as themselves in every thing connected with profit and loss, have rather been disposed to come home and grumble over their own waste of time and of money, than to remain upon, or to draw up candid accounts of, the scene of their disappointments. Political fanatics, filled with fanciful notions of the purity of democratical institutions—warmed with ideas of the happiness to be enjoyed where men are freed from the wholesome restraints of civil, legal, and religious institutions—have surveyed the western continent only to discover that noisy patriots are not free on one side of the Atlantic, more than on the other, from venality ; that declamations about the glories of liberty are quite compatible with the practical exercise of tyranny ; and that the lustiest assertions of independence often come, all the world over, from the lips of the most eager aspirants after the power and emolument of *place*. A few naval and military officers have looked at the United States ; and, having seen what their profession rendered interesting, seem to have taken for granted that the public in Europe would attach as much importance as themselves to accurate sketches of dockyards, forts, and the like. Finally, the projectors of colonization, on lands in which they had speculated in the back woods, wanted the skill to conceal their artifices ; and the lucubrations of the Birkbecks, the Flowers, and others of that class, had no more effective operation on the general mind of England, than the wild fanaticism of Mr. Owen of Lanark.

Neither of the travellers, whose works we have placed at the head of this article, were induced to visit America by any low, sinister, or fanatical motives. Their chief inducement seems to have been to gratify the curiosity created by the representations, frequently made, of the necessary effect of the establishment of the so-called principles of freedom ; and to make their own observations on the experiment whose process has commenced in the western hemisphere. It is obvious that a predilection, at least, in favour of the success of this experiment existed in the minds of both ; that a disposition prevailed to discover a better order of things in the new state of society than existed under the more anciently formed governments of the European world. These notions seem to have been most ardently cherished by the duke, who, on his landing in Boston, says—

‘ It is impossible to describe the feeling with which I was impressed at this moment. Two former instants of my life had left most delightful recollections : the first, when, after the battle of Wagram, at seventeen years of age, I received (from the hand of Napoleon) the cross of the Legion of Honour ; and the second, on the birth of my son William. My first landing in America—in the country which it
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had been my warmest wish, from my earliest youth, to visit—will be a third delightful recollection, which will remain with me through the whole of my life.'

Captain Hall thus expresses himself:—

'Probably, there seldom was a traveller who visited a foreign land in a more kindly spirit. I was really desirous of seeing every thing, relating to the people, country, and institutions, in the most favourable light; and was resolved to use my best endeavours to represent to my countrymen what was good, in colours which might incline them to think the Americans more worthy of regard and confidence, than they generally were esteemed in England. It was also part of my project, if possible, to convince the Americans themselves that the English were willing to think well of them, and were sincerely anxious to be on good terms, if they could only see just grounds for a change of sentiment. Such were the hopes and wishes with which I landed in America.'—*Hall*, vol. i. p. 3—5.

Whoever wishes to appreciate the description given of a country, a district, a city, a palace, or a cottage, must first ascertain the point of view from whence it is taken. In a journey through a foreign region, the traveller himself becomes in reality a sort of point of view. If his own country be more advanced in civilisation than the one he visits, he is too apt to treat with a proud contempt whatever meets his observation. If the journey be through a country advanced beyond that of his birth, every object that he meets impresses him in a far different manner: he is delighted wherever he turns his eyes. But above all, the traveller's view of a foreign country will be much influenced by his education. We do not so much refer to the education acquired in his school or in his college, as to the course of observation and reflection induced by the subsequent tenour of his habitual pursuits, and the society in which it has been his fortune to move as a man. Duke Bernard, a cadet of the house of Saxe-Weimar, bears a name and title venerated by every Protestant who is acquainted with the history of that tremendous contest for religious freedom which, during thirty years, wasted almost every part of Germany, and was at length terminated by the treaty of Westphalia. At an early period of life he entered into the army—we believe, of the king of Saxony. In those days, the princes of the Rhine were compelled to place all their forces under the banner of Buonaparte; and in the battle of Wagram, Duke Bernard was noticed by the conqueror. When the turbulent ambition of that chief disturbed Europe for a second time, the troops of Saxe-Weimar, joined by some other Germans, were led on to take part in common cause by this duke—who so distinguished himself at Waterloo as to gain the approbation and applause of our commander in chief.

chief. He has visited most parts of Germany, France, the Netherlands, and Great Britain; and is now in the military service of the king of the Netherlands, with the rank of major-general, and the command of the garrison of Ghent. Our other traveller is already sufficiently known by his accounts of Loo Choo, and of the countries bordering on the Pacific Ocean;—works which, composed in a clear and lively style, gave evidence of high professional ardour, of considerable scientific attainments, and of no ordinary powers of observation and reflection.

The course followed by these two travellers was nearly the same: both first visited the northern and eastern states; then passed on to Canada; afterwards viewed the southern, or slave states, on the Atlantic side; from them crossed the new state of Alabama to Louisiana; proceeded up the Mississippi, through the newly-planted districts, to the westward of the Alleghany mountains;—and returned to England by way of New York. It was likely that two gentlemen of their character travelling so nearly by the same route would be thrown into the same connexions, and converse with the same individuals; and though, while the goodnatured Duke mentions the name of almost every person whom he visited or met, Captain Hall, with commendable delicacy, notices none by name,—we have no doubt, from the nature of the communications which the two authors have given, that they must, in a great measure, have been derived from the same sources. Both speak with equal warmth of the general attention and hospitality they received, and appear to have been highly gratified by the respect with which they were treated. In the objects which they respectively dwell on at the greatest length, and the character of their remarks on these, it is easy to trace the influence of their former habits. The Duke's previous travels had been chiefly confined to countries on the continent, where every thing that is grand or magnificent bears the stamp of antiquity. Scarcely a cathedral, a palace, a town hall, or any other public building on the continent, excites any great interest, except such as were constructed before even the existence of America was known in Europe. Scarcely a house is to be seen in the cities and towns that was not built before any dwelling beyond an Indian wigwam had been erected in North America. The rapidity of the progress made in the new settlements of that region must be more striking to one who compares them, as a traveller like the Duke would do, with the cities of Paris, Vienna, Cologne, Nuremberg, Breslau, Bruges, and others, than to a native of Great Britain, who would compare them with Manchester, Birmingham, Leeds, Liverpool, Nottingham, Derby, Glasgow, Paisley, and the other places in his own country, which have

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have risen from small to large towns quite as rapidly as New York, and more so than Philadelphia, Boston, Baltimore, Norfolk, Charlestown, New Orleans, or any other place in America. We may make the same remarks on the other objects in which the United States have been pursuing, though at a vast distance, our steps. Of canals, rail roads, highways, bridges, steam-engines, and other improvements, utterly unknown in some, and very imperfectly known in many, parts of the continent, we may affirm that the extension has been more than ten times as great, within one-fifth of the space, in Great Britain as in America. If we attend to the description of objects more minute, but composing much of the comfort of domestic and social life, great allowance must be made for the different views taken of them by a German and an Englishman. On the continent, the houses are scantily furnished, the furniture is old, both in substance and in fashion, and the shifts made to repair and preserve it are sometimes even ludicrous. Here, on the other hand, foreigners are surprised with the number of domestic utensils (of which they, perhaps, know neither the name nor the use), the condition in which they are maintained, the frequency with which they are renewed, and the character of indispensableness which we attach to them. In America, the inhabitants of British origin have followed the customs of the country from which they have emanated; and the people transplanted from other kingdoms have speedily imbibed the same habits. Thus over the United States, and British America, in the larger towns, and in the dwellings of the more prosperous inhabitants, the condition of the houses, and the accommodations they contain, if somewhat inferior to those of a similar class in England, are advanced a much greater step beyond what is commonly to be seen in France, Germany, Spain, or Italy, to say nothing of Russia and the eastern territories of Austria.

We have found, in the description of the same kind of things, some differences between our two authors, but certainly not greater than may be easily accounted for by the different tenours of their previous experiences and habits. An intelligent naval officer, whose life has been spent in visiting countries far removed from each other, varying in climate, in wealth, in forms of government, and at various stages in the progress of civilization, will commonly look rather at objects in masses, and upon a large scale, than examine minutely those of a less important nature. Bestowing careful attention on whatever more immediately relates to his own profession, he is likely, in the maturity of his life, to take a larger view than almost any other traveller of the institutions tending to accelerate or to check improvement, in any country he traverses; of

of the influences of the several classes of society upon each other, and upon the whole community; and of the actual effect of the general system of policy that is adopted.

Captain Hall has some excellent remarks on the extreme ignorance which prevails in America respecting England, and *vice versa*.

'We tried to keep them, and we could not; or, at all events, we did not. Consequently, as far as the mere struggle goes, its details cannot be considered very inviting as historical incidents for Englishmen to dwell upon. In America the original actors in the scene, their children, and the race that has since grown up, have been stimulated by a thousand inspiring motives to dwell constantly, and with delighted interest, upon the minutest details of that period—to speak and to listen to all that could be said—to fight all the battles, and slay all the slain, over and over again—in order, as they allege, to draw practical inferences from the events of those days applicable to the present state of affairs; while we, in the old Mother Country, who have been robbed of our young, are not only left without any encouragement to speak or think of such things with pleasure at this hour of the day, but, in times past, have been deterred by every motive of national and of personal pride acting in concert, from making such inquiries.' * * * 'The French Revolution, within a few years after the American war, burst out like a volcano at our very doors, and, as a matter of necessity, from which there was absolutely no escape, engrossed all our thoughts. Then came the rise of Napoleon, followed by hostile coalitions of mighty empires—threats of invasion of our own shores—and the destruction of our allies. Presently arose, to cheer our prospect, numberless actions of an opposite character, by land and by sea—from Seringapatam to Waterloo, from the First of June to Trafalgar.'—*Hall*, vol. ii. pp. 15, 16.

Again—

'The Americans took no pains, or, if they did, they failed in making us acquainted, in a popular way, with what they were actually doing. They contributed no great share to the general stock of letters, little to our stock of science, and scarcely any thing of importance to that of the fine arts; while, according to all our views of the matter, they had actually made a retrograde movement in the principles and practice of government. Neither do I think it will be contended, even by themselves, that they added much to what was already known in Europe, as to the philosophy of manners, of morals, or of any other branch of intellectual refinement. Thus, they cannot, or, when brought to close quarters, they seldom deny, that they have done scarcely any thing as yet to attach us to them, by the ordinary means through which other nations have been cemented together in cordial alliance of kindred sentiment, however torn apart, occasionally, by political contests. In the case of France, for example, though it has long been the popular fashion to call us natural enemies, there

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exists permanently, through the hottest wars, a spirit of generous rivalry and of cordial international respect, which both parties delight to cherish—but of which, alas! there are but feeble traces in our relations with America—and not the slightest spark, I greatly fear, in theirs with us.’

The pains taken to nourish hatred towards England is to be seen in all the declamations at public meetings within the United States, whether of a political or a social character; but we could not have conceived this childish spirit could have been introduced even into the recitations of their inflated compositions in their seminaries for education. At Boston, Captain Hall visited some of the schools, which are laudably numerous.

‘At the high-school for boys, two youths were called out in succession to spout in our presence. Poor little fellows! they took us for their own country people, and as the most grateful theme they could choose, indulged us with a couple of ‘furious philippics against England. We were amused to the top of our bent, and the young orators, seeing us take more than common interest in their declamations, elevated their incipient legislative voices, and rose into high energy when any thing particularly patriotic, that is to say, cutting against the mother country, was let fall. “Gratitude! gratitude to England! What does America owe to her? Such gratitude as the young lion owes to its dam, which brings it forth on the desert wilds, and leaves it to perish there. No! we owe her nothing! For eighteen hundred years the world had slumbered in ignorance of liberty, and of the true rights of freemen. At length America arose in all her glory, to give the world the long-desired lesson!”’ &c. &c. &c.

‘Both our companions were somewhat disconcerted by this contretemps of the lads; but I could not bring myself to pity them much. What business, I may ask, have persons who affect to wish that the two countries should be on good terms, to adopt in their seminaries such models upon which the taste of the rising generation is to be formed, when all the world of letters is before them? Or what title have these most thin-skinned of all people to abuse the English, without intermission, measure, or mercy, for an occasional squib against them, when they themselves systematically teach their own young ideas to shoot at this rate?”—vol. ii., pp. 167, 168.

Both our travellers speak in the course of their journeys of the colleges and universities in the towns they pass through, but as the meaning of words in America is frequently very different from that in Europe, our readers may be led to think of Oxford, Cambridge, Dublin, or Edinburgh, when such words occur. With the exception of Yale and Harvard, where, from the thrifty habits of the New Englanders, the students are more diligent in their application to study than in the southern states, little beyond the simplest elementary knowledge is communicated in such institutions.

tions. We have been assured by a competent judge, one who resided many years in that country, that a boy leaves college in America with about the same quantity of learning that is acquired in the academies near London—with the Greek alphabet, and Latin to translate a stray quotation. Almost every city has a college, as it is called, though in fact they are little better than our day-schools; yet degrees of Bachelor of Arts and Master of Arts are bestowed by them on boys from twelve to fifteen years of age, and announced with more pomp and form in their public papers than those conferred at Oxford and Cambridge on competent scholars at from twenty to twenty-five years of age. The whole construction of society seems opposed to any other system of education than that of the most superficial kind.

‘There is (says Captain Hall) no want of talent in the country, nor of ability and honest zeal on the part of the professors and other teachers; but my inquiries in every part of the Union ended invariably in one and the same conclusion—that it was impossible, by means of any system of discipline, by fines, by punishments, by the stimulus of artificial rewards, by parental or state authority, to keep the young men long enough at those establishments, to imbue them with what in Europe would be called a tolerable portion of classical knowledge; or even to impart to them much taste for elegant letters, ancient or modern; still less, of course, to carry them into the regions of any abstract science. The reason of all this lies so completely interwoven with the whole texture of American society, that, were the efforts of those public-spirited persons, who struggle so manfully against this popular torrent, a thousandfold more strong than they are, their exertions would avail little. Every thing in America appears to be antedated—every thing, and every body is on the move—and the field is so wide and so fertile, that no man, whatever be his age, if he possess the slightest spark of energy, can fail to reap from the virgin soil an adequate harvest. Thus the great law of our nature, Be fruitful and multiply, having no check, supersedes every other, carrying before it classics, science, the fine arts, letters, taste, and refinements of every description, in one great deluge of population. * * * A boy who hears and sees nothing all round him but independence, and individual license to do almost any thing, very soon becomes too wild for his father’s house; and off he is sent to school. When there, he is restless himself, and the cause of restlessness in others; for he worries his parents till he accomplishes his purpose of going to college. This point gained, his object is to run through the required course as fast as possible, get his examination over, and take his degree, that he may be at liberty to follow the paths of his predecessors, and scamper away to the fertile regions of the West or South. * * * This appears to be going on, with slight shades of difference, over the whole United States, and is, in truth, the inevitable consequence of their geographical and political situation. * * * Many people are

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are forced into active life long before the time they would probably have chosen to come forward, had the state of things been different—that is to say, had there been any steady demand in society for higher acquirements. In one word, there is abundant capacity, and abundant desire to learn in America, but by no means any adequate reward for learning. There are exceptions, no doubt; and instances might be quoted of men of literature and science whose exertions are well repaid, but the numbers are exceedingly small when the extent of the population is taken into account.'—*Hall*, vol. ii. p. 175.

From the very thin population in the United States, and the consequent distance of one house and settlement from another, there must be a difficulty in forming schools for the rural inhabitants. In the towns there seems to be adequate provision for the elementary tuition of even the poorest classes. The inhabitants of all the towns form, however, but a small minority of the whole community; and, taking into account about two millions of negroes, who are wholly without instruction, we should probably find a much larger proportion of persons in America destitute of even the knowledge of reading and writing, than in any part of Europe, except Russia and Turkey: certainly a much larger proportion than in a country which of late years it has been the fashion, with persons who know nothing of its concerns, to cry down as hopeless and incurable—we mean Spain.

So much for Education—a subject which occupies a large part of both these works. Duke Bernard seems carefully to avoid all *discussion* connected with politics. This may arise, in part, from his being but imperfectly acquainted with the English language; it is, however, probable, that he has been in some degree restrained by considerations of a prudential nature. Engaged in the service of the Netherlands, a government where whatever can contribute to the prosperity of the people is protected and stimulated by the paternal spirit and enlightened councils of the monarch, he could feel little anxiety about indulging any remarks on the tendency of democratic rule. His work was, however, designed to circulate 'wozu die Deutsche zunge klingt,' and that language is spoken in certain districts where the circulation was not likely to be patronised, if the author had even pointed out the benefits which the Americans have derived from retaining the free institutions of the country of their ancestors. For disquisition on all subjects connected with the government and the administration of the law, then, we must look exclusively to Captain Hall; and fortunately the common-sense views he has taken of them, the penetration he has exhibited in sifting facts, and the powerful scrutiny he has exercised, give to his communications a very uncommon character, both of interest and importance.

Duke Bernard's

Bernard's pages are, however, of value even as regards the topics which he is most anxious to eschew—for they, in a hundred casual particulars, confirm the statements on which the British traveller grounds his expressed opinions.

One of the greatest defects of the American system of government, is, the absence of an effective executive head. As planned by the eminent man who framed the constitution, the power of the president was by far too weak; by various subsequent changes, that power has been still further lowered; and the increase of the democratic influence threatens to reduce it, if it is not already done, to a mere shadow. Captain Hall narrates the history of this process of diluting the executive power in his second volume, to which we must refer our readers, because it is scarcely susceptible of abridgment, without a great sacrifice of accuracy. He asserts, however, and with apparent justice, that

'the legislative and executive branches of the government are, in point of fact, absorbed by congress. In England there is a well known saying, that the king can do no wrong; in America, the maxim is nearly inverted, for it would seem as if the president could do no right. In England, the monarch is exempted from all responsibility, while his ministers, being available persons, bear the whole burden, under whatever nominal or real authority their measures may have been carried on. In America, the power of the chief magistrate—the constitutional executive of the country—has been gradually abridged, till his actual authority, either for good or for evil, has been almost annihilated. In that country, therefore, the executive is deprived almost entirely of the power of action, but still he is held responsible. In England, the executive virtually possesses great authority, but is nominally free from responsibility.'—vol. iii. pp. 19, 20.

The United States are so far removed from all the other regular governments of the civilized world, that an occasion of foreign war can scarcely arise, unless, as in the late contest with us, it should be generated by a faction, whose artifices and misrepresentations may succeed in exasperating the populace. But for this, the evil of which Captain Hall treats would hardly have gone on increasing as it has done. The natural consequences of a weak executive are at present experienced in a very slight degree, compared with what would happen if the States should hereafter be involved in a war of long duration with any of the naval powers of Europe, or with the descendants of Spain in America—if ever these should be formed into regular governments. But the evil would be felt still more formidably if any internal dissensions should terminate in a civil war.

Captain Hall attended the proceedings of the legislature of New York—the most populous, rich, and influential of all the sovereign states which compose the Union. His description of the

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the mode in which public business is transacted by that body well deserves attention :—

‘ I was extremely curious to see how a legislature formed on such principles would proceed, and I visited the Capitol with the truest wish to be well pleased with all I saw and heard. The hall of the house of assembly was not unlike the interior of a church ; with a gallery for strangers, looking down upon a series of seats and writing-desks, ranged on the floor in concentric semicircles, the speaker’s chair being at the centre, and over his head, of course, the large well-known picture of General Washington, with his hand stretched out, in the same unvaried attitude in which we had already seen him represented in many hundreds, I might say thousands, of places, from the capitol at Albany to the embellishments on the coarsest blue china plate in the country. Each member of the house was placed in a seat numbered and assigned to him by lot on the first day of the session. * * * The arguments seemed to me so shallow, and were all so ambitiously, or rather wordily, expressed, that I was frequently at a loss for some minutes to think what the orators really meant, or if they meant any thing. The whole discussion, indeed, struck me as being rather juvenile. The matter was in the highest degree commonplace, and the manner of treating it still more so. The speeches, accordingly, were full of set phrases and rhetorical flourishes about their “ancestors having come out of the contest full of glory, and covered with scars—and their ears ringing with the din of battle.” This false taste, waste of time—conclusions in which nothing was concluded—splitting of straws, and ingeniously elaborate objections, all about any thing or nothing in the world, appeared to me to arise from the entire absence of those habits of public business, which can be acquired only by long-continued and exclusive practice.

‘ These gentlemen were described to me as being chiefly farmers, shopkeepers, and country lawyers, and other persons quite unaccustomed to abstract reasoning, and therefore apt to be led away by the sound of their own voices, farther than their heads could follow. It is probable, too, that part of this wasteful, rambling kind of argumentation may be ascribed to the circumstance of most of the speakers being men, who, from not having made public business a regular profession or study, were ignorant of what had been done before—and had come to the legislature, straight from the plough—or from behind the counter—from chopping down trees—or from the bar, under the impression that they were at once to be converted into statesmen. Such were my opinions at this early stage of the journey, and I never afterwards saw much occasion to alter them ; indeed, the more I became acquainted with the practical operation of the democratical system, the more I became satisfied that the ends which it proposed to accomplish could not be obtained by such means. By bringing into these popular assemblies men who—disguise it as they may—cannot but feel themselves ignorant of public business, an ascendancy

is given to a few abler and more intriguing heads, which enables them to manage matters to suit their own purposes. And just as the members begin to get a slight degree of useful familiarity with the routine of affairs, a fresh election comes on, and out they all go; or at least a great majority go out, and thus, in each fresh legislature, there must be found a preponderance of unqualified, or, at all events, of ill-informed men, however patriotic or well-intentioned they may chance to be. On the same distrustful principle, all men in office are jealously kept out of Congress and the state legislatures; which seems altogether the most ingenious device ever hit upon for excluding from the national councils all those persons best fitted by their education, habits of business, knowledge, and advantageous situation of whatever sort, for performing, efficiently, the duties of statesmen: while, by the same device, the very best, because the most immediate and the most responsible sources of information are removed to a distance; and the men who possess the knowledge required for the purposes of deliberation, are placed out of sight, and on their guard, instead of being always at hand, and liable to sudden scrutiny, face to face, with the representatives of the nation.'—vol. ii. pp. 29—37.

According to our author's account, the proceedings of the two houses of congress themselves appear to be an admirable counterpart of those of the legislature of New York at Albany. He thus describes a sitting of the House of Representatives:—

'The motion which interested me most was brought forward by a member for one of the southern states, who, in disregard of the usual habit, came soon to his point, and spoke well upon it. The object was to direct one of the committees of the house, I forget which, to take measures for placing in a vacant niche, or compartment, in the rotunda or great hall of the Capitol, a painting of the battle of New Orleans, gained by General Jackson over the English. The motion seemed appropriate to the day, 8th of January, the anniversary of that victory; and there is no saying how far such a proposal might have been received, had it been left purely to its own merits. But this was not the course of any American debate which it was my fortune to hear. A gentleman who was standing by me asked what I thought of the suggestion; to which I answered, that there could be nothing more reasonable, and begged to ask in my turn, if he thought there could be any objection started in the house. "Wait a little while," said he, "and you'll see; for," he continued, "you know the whole depends upon the presidential politics of the house?" I said I did not know. "Surely," he replied, "you are aware that General Jackson is a candidate for the presidency;—now, if this motion succeeds, it will be what is called 'a sign of the times,' and, so far as the opinion of Congress goes, will help on one side the grand object of all men's thoughts at this moment. But you will see ere long, that the Adams party will, in some way or other, entangle this question, and prevent its getting through the house. They are in a minority, it is true; but you are

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aware how much torment the weaker party can always give the stronger, if they set about it systematically. Indeed," he observed, "I should not be surprised if this little matter, which the good sense of the house, if it were fairly taken, would discuss and settle in ten minutes, should, under the fiery influence of party spirit, last as many days; for there is no knowing beforehand whether a debate with us is to last a day, or a week, or even a month. So I beg you to watch the progress of this one."

"The proposer of the measure concluded his speech by saying, that as there could be no doubt of its adoption, he begged to propose Mr. Washington Alston, of Boston, as the artist who ought to execute the work, not only from his being the most skilful painter in the country, but from his being a native of the same state with General Jackson, namely, Tennessee. I had no notion that the debate would run off upon this point, because the gentleman named was, beyond all question, the best artist in America. Besides which, there was some address, I was told, in having pointed out an artist residing in the north, to perform the service; a degree of consideration which it was thought would conciliate the members from that quarter, who were mostly in favour of Mr. Adams. These small shot, however, failed to hit their mark, as will be seen by the following observations of a gentleman from one of the eastern states, which I extract from the debate, as given in the "National Intelligencer," chiefly to show their rambling style of discussion.

"He said he should not have risen, had not the resolution moved by the honourable gentleman from South Carolina designated the name of the artist to be employed. When it was recollected that Mr. Trumbull, the gentleman who had executed the paintings now in the rotunda, was a native of the state which he represented on that floor, he trusted his honourable friend would excuse him if he ventured to suggest, that no course ought to be pursued, in this stage of the business, which went to exclude the employment of that venerable and patriotic individual in executing any paintings that might be ordered. If the artist to whom the gentleman had alluded was a native of the same state with the hero of our second war, the artist he himself had named had been an actor in his own person in the war of the revolution. He had been a prisoner, and had suffered severely in that contest; and he must be permitted to say, that great injustice had been done him, from the manner in which his paintings had at first been displayed. They were placed in a small and obscure room, beneath our feet, and the artist had the mortification to know, that the most unkind and most unfeeling strictures had there been passed upon them, in consequence of this their disadvantageous location. His fame had suffered, his feelings had suffered, and all his friends who knew the circumstances, had suffered with him. It was with pride and pleasure, he said, that he had witnessed their removal to a situation more worthy of their excellence, and he had witnessed the tears of joy glistening in his venerable eyes, under the consciousness that, at last, justice had been

been done him. He admitted, very willingly, the high merit of Mr. Alston; but, if congress should conclude, in this matter, to depart from the class of our revolutionary worthies, there were other native artists, besides Mr. Alston, who would desire not to be precluded from a chance of employment. He therefore moved the following amendment,—to strike out the name of “Washington Alston,” and to insert the words, “some suitable artist.”

‘The debate for some time turned on the merits of this amendment, though it wandered every now and then into the presidential question, and its innumerable ramifications, many of which were nearly unintelligible to a stranger. At length another eastern state member rose, and cast amongst the disputants a new apple of discord, or rather a new sort of mystification and discursive eloquence. He said, “that while he did not refuse to do homage to the great and acknowledged merit of Mr. Alston, he wished to suggest a further amendment of the resolution, which was,—that it might be made to embrace the battles of Bunker’s Hill, Monmouth, Prince Town, and the attack on Quebec.”

‘This proposal, whether it were seriously intended for the consideration of the house or not, was followed by one obviously meant as a bitter jest against one of the parties in the house. In the state for which the member who spoke last was the representative, it appears there had been, during the late war with England, a disposition expressed by some persons for opening pacific negotiations with the enemy, or in some way thwarting the measures of government. A meeting, known by the name of the Hartford Convention, was accordingly assembled, at the very moment of the battle of New Orleans. The gentleman who now rose, therefore, proposed to amend the amended amendment, by moving, that “another painting be placed alongside that of the victory of New Orleans, representing this meeting, which was in full session at the same time.” Several members now made speeches, and most of them so entirely wide of the mark, that, I venture to say, any one coming into the house, and listening for half an hour, would not have been able to form a probable conjecture as to the real nature of the topic under discussion. Things were at last getting very heavy, when a little more spirit was thrown into the debate, by some one making a proposal for further extension of the honours proposed. “I have often thought,” said one of the gentlemen who addressed the house, “that our naval victories were entitled to some notice, as well as the military exploits of the army, and that congress could not better occupy several of the vacant panels in the rotunda, than by filling them with some of the chivalrous triumphs of the navy, that had conferred so much honour and glory on the country. I hope, therefore, the navy will not be altogether forgotten on this occasion, and that the house will agree to adopt an amendment I shall offer, in the following words: That the resolution embrace such of the victories achieved by the navy of the United States, as in the opinion of congress should be selected for national

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national commemoration." I naturally felt some professional interest in this part of the debate, and was therefore greatly disappointed when a member got up and proposed an adjournment, although it was only two o'clock. The motion was lost—Ayes 91; Noes 92. But the hour allotted for the consideration of resolutions having expired, it was necessary, before resuming the debate, to move that the rule restricting this time be for this day suspended. The question being taken, the Ayes were 122, the Noes 76; and as the majority did not amount to two-thirds, the motion was lost, and the house adjourned.

'The same subject was taken up next day at noon, and discussed for four hours; during which time several new amendments were proposed, including all the important battles that had been fought in that country, and many of which I had never heard the names before. The object of the members on both sides seemed to be merely to thwart, by every means, the wishes of their political antagonists, and to wear one another out by persevering opposition. This tenacity of purpose on trifles, is a game which can be played by any one, and at all times, as there is never a want of opportunity for provocation. Indeed, every man who has had to transact real business, must have found that, even when both parties really wish to have a matter settled, there must generally be some compromise,—some mutual concession,—something of what is familiarly called "giving and taking," in order to smooth away the difficulties incident to the very nature of our being, and the boundless complication in our interests. But when a deliberative body come to discuss a question in a spirit of avowed misunderstanding, without the smallest wish to agree, the result, as far as actual work is concerned, may easily be conceived. Yet I defy any imagination, however active, to form a just conception of the rambling and irritating nature of a debate in congress, without actually attending the House of Representatives.'

So much for annual parliaments—now for universal suffrage. The spirit of party—or rather of electioneering—seems to be constantly in action in all classes of the community—all of whom have votes, except indeed the slaves, who compose about one-fifth of the whole population.

'The most striking peculiarity of this spirit, (says Captain Hall,) in contradistinction to what we see in England, is, that its efforts are directed more exclusively to the means, than to any useful end. The Americans, as it appears to me, are infinitely more occupied about bringing in a given candidate, than they are about the advancement of those measures of which he is conceived to be the supporter. They do occasionally advert to these prospective measures, in their canvassing arguments in defence of their own friends, or in attacks upon the other party; but always, as far as I could see, more as rhetorical flourishes, or as motives to excite the furious acrimony of party-spirit, than as distinct or sound anticipations of the line of policy which their candidate, or his antagonist

gonist, was likely to follow. The intrigues, the canvassings for votes, all the machinery of newspaper abuse and praise, the speeches and manœuvres in the legislature, at the bar, by the fire-side, and in every hole and corner of the country from end to end, without intermission, form integral parts of the business—apparently far more important than the candidate's wishes—his promises—or even than his character and fitness for the office. All these things, generally speaking, it would seem, are subordinate considerations; so completely are men's minds swallowed up in the technical details of the election. They discuss the chances of this or that state, town, or parish, or district, going with or against their friend. They overwhelm one another with that most disagreeable of all forms of argument—authorities. They analyze every sentence uttered by any man, dead or alive, who possesses, or ever did possess, influence; not, it must be observed, to come at any better knowledge of the candidate's pretensions as a public man, but merely to discover how far the weight of such testimony is likely to be thrown into their own scale, or that of the opposite party.

'The election of the president, being one affecting the whole country, the respective candidates for that office were made the butts at which all political shafts were aimed, and to which every other election was rendered subservient, not indirectly, but by straight and obvious means. It was of no importance, apparently, whether the choice to be made, at any given election, were that of a governor, a member to congress, or to the legislature of the state—or whether it were that of a constable of the obscure ward of an obscure town—it was all the same. The candidates seldom, if ever, that I could see, even professed to take their chief ground as the fittest men for the vacant office—this was often hardly thought of—as they stood forward simply as Adams men or Jackson men. The candidates for office, instead of being the principals, were generally mere puppets—men of straw—abstract beings, serving the purpose of rallying points to the voters from whence they might carry on their main attack in the pursuit of an ulterior object, which, after all, was equally immaterial in itself, but which served, for the time being, to engross the attention of the people as completely as if it were of real consequence to them. In these respects, therefore, the presidential contests in America resemble those field-sports in which the capture of the game is entirely subordinate to the pleasures of its pursuit.

'I do not deny that there is more or less of this spirit in the popular elections of England. I once assisted at a contest of this sort in Westminster, and well remember how completely the ultimate purpose was lost sight of by myself, and by many friends of the parties respectively, in our ardent desire to succeed, merely for the sake of succeeding. Such, I fully believe, is the necessary consequence of any thoroughly popular election; and, accordingly, while it lasts, it is sometimes not a bit less violent in Covent Garden than it is in America. But the essential difference between the cases lies in the frequency and in the duration of these vehement excitements.

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‘Now, with the knowledge we have of the commotion which even these comparatively rare, and always transient ebullitions produce, let us, if we can, imagine what would be the state of things in England, were the Westminster form of election to become general over the Island, and, instead of lasting a fortnight, were it made perpetual! *We should then have some idea of what is going on in America at all times and seasons.*’—vol. ii, p. 59—63.

It has been well remarked by one of the most judicious practical statesmen in America—De Witt Clinton of New York—‘that the country has been more or less exposed to agitations and commotions for the last seven years. Party-spirit has entered into the recesses of retirement, violated the sanctity of female character, invaded the tranquillity of private life, and visited, with severe inflictions, the peace of families. Neither elevation nor humility have been spared—nor the charities of life, nor distinguished public services, nor the fireside, nor the altar, been free from attack; but a licentious and destroying spirit has gone forth, regardless of every thing but the gratification of malignant feelings and unworthy aspirations; and, till some adequate preventives and efficacious remedies are engrafted into the constitution, we must rarely expect a return of the same tranquillity which formerly shed its benign influence over the country.’ Such, and so similar, are the results of all Captain Hall’s observations on this head—and of the life-long experience of one of the few Americans whose names can be expected to carry weight in Europe! We have now to notice the operation of the democratic principle on the administration of justice in America.

The uncertainty of law is a subject of complaint in every country under the sun, and the complaint always grows louder as the nation advances towards a higher degree of civilization. The variations of circumstances, and the new combinations of interests that daily arise, require attention to some fixed principles to guide the decisions of those who fill high judicial stations; and adherence to such fixed general principles requires in the judges a degree of firmness of mind, of professional integrity, and of independence of all extraneous influence, as shall render them alike superior to the frowns of the elevated, and the clamours, censures, and abuse of the vulgar. Such qualities may be created and exist under an absolute monarchy—they are more naturally produced, and become more effective under a mixed and constitutional government, which has grown up with, and been constantly acted upon by the laws. But they can neither be created, nor gain, much less retain, influence, under a pure democracy. The will of the people, the popular voice, however called forth, or however exercised, is one of those

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potent incantations against which neither the sanctity of long usages, nor their adaptation to the wants of the society can protect established institutions; nor the highest degree of knowledge, patriotism, and integrity, shelter individual magistrates. It is a charm powerful to destroy, but utterly incapable of creating or preserving whatever is essential to the progress and civilization of social man. The law of America, as well as the administration of it, was, at first, copied from that of England, and what little is left of the original practice, is the only part that is really beneficial. We speak of the *Supreme Federal Court*, the judges of which are appointed by the president and senate—with no popular election, and only removable for misconduct by impeachment. This court, which possesses extensive powers, has been hitherto maintained in its authority by the character of the chief justice, a man of education, talents, and integrity, educated under that *elder* system, of which but few traces now remain. Even this tribunal is, out of subserviency to popular power, compelled to pass by, as much as possible, questions which cannot be long kept from discussion, and which, if once agitated, (especially were Judge Marshall removed from the bench, as, in the course of nature, he must soon be,) would disperse its elements before democratic fury, or degrade them into its instruments of mischief. And, *de facto*, it does not, except in comparatively few instances, and those not immediately affecting the intercourse between individuals, influence the great mass of judicial decisions.

These are, for the most part, determined by the courts of the several states. By means of these numberless tribunals, the well-sounding principles of bringing justice home to every man's door, and of making the administration of it cheap, have had a full experiment in America, and 'greater practical curses,' says Captain Hall, 'were never inflicted on any country.'

'The state of Pennsylvania will serve as a good example, because it is eminently democratic, and has been called, par excellence, the key-stone of the republican arch. There they have done away with nearly all the technicalities of the law—there are no stamps—no special pleadings—and scarcely any one is so poor that he cannot go to law. The consequence is, a scene of litigation from morning to night. Lawyers abound every where; no village, containing above two or three hundred inhabitants, is without one or more. No person, be his situation or conduct in life what it may, is free from the never ending pest of lawsuits. Servants, labourers, every one, in short, on the first occasion, hies off to the neighbouring lawyer or justice of the peace, to commence an action. No compromise or accommodation is ever dreamt of. The law must decide every thing! The life of persons in easy circumstances is thus rendered miserable; and the poor man, led on by the hope of gain—by an

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infectious spirit of litigation—or by revenge, is prevented from employing his time usefully to himself and to the community, and generally ends by being a loser. The lawyer's fees are fixed at a low rate, but the passion for litigating a point increases with indulgence to such a degree, that these victims of cheap justice—or rather of cheap law—seldom stop while they have a dollar left.

‘The operation of the much-vaunted principle, just alluded to, of bringing justice home to every man's door, is in most cases equally mischievous. It leads to the endless establishment of new courts, swarms of lawyers, and crowds of litigants. Thus, on a spot where the population increases, and it is found a hardship to go twenty or thirty miles for the pleasure of a lawsuit, a new county town must forthwith be erected more at hand, with all its accompaniments of judges, clerks of court, marshals, and so forth. I have heard of a bad road being used as an argument before the legislature, to obtain the establishment of a new county town. As the population increases further on, these towns must be again multiplied or removed, and thus continual expense, and the endless appointment of new judges goes on.

‘In a society composed of such loose materials as the active, roving population of America, it is almost impossible, except at the great cities, to find men of education and high character to fill these judicial situations. I may here remark, that with the exception of one state—Virginia—the justices of the peace are every where paid by fees from the clients. In fact, it would be impossible to get men in that country, where the property is so much divided—and where all men are so busy, to do this or any other duty gratis. One of the greatest and most substantial blessings of England, therefore—its unpaid magistracy—has no existence in America; neither can it be expected to exist there for a long time to come—never, indeed, unless some great changes be made in the structure of society in that country.

‘I have not been able to obtain any very exact returns of the number of judges in the United States, but it is certainly enormous in its extent. I was greatly astonished to hear, that in Pennsylvania alone there are upwards of a *hundred judges* who preside on the bench; besides *several thousands of justices* of the peace, who take cognizance of all suits not exceeding one hundred dollars in amount. *The number of persons, therefore, who administer justice in America, probably exceeds that of their army and navy!* And, upon the whole, I suspect justice will be found much dearer there than any where else in the world. At all events, nothing can possibly compensate for the boundless spirit of litigation, which, conjointly with that of electioneering, keeps the country in constant hot water from end to end.

‘The salaries of the judges, in consequence of their great number, are necessarily so small, that no first-rate lawyer can afford to take the appointment.’—vol. ii., p. 426—429.

‘It is a curious feature in the American judicial system, that in many of the states—Pennsylvania amongst others—the bench is composed of one judge who is a lawyer, and of two others who are not lawyers,

called associate judges. These men are selected from the county in which they reside and hold their court. They are generally farmers—not, however, like the English gentleman-farmer, for such characters do not exist, and cannot exist, in any part of the United States—they are men who follow the plough. They seldom, as I am informed, say a word on the bench. This singular system has been adopted, because the people thought it was necessary there should be two persons, taken from among themselves, to control the president or law judge. These associate judges are paid two hundred dollars per annum, or about 45*l.*—p. 430.

We have seen other accounts of the most unimpeachable credit, which represent the condition of these state courts,—the courts, be it remarked, whose decisions are the most numerous and most influential—in a far more degraded light than Captain Hall has thought it prudent to represent. From these accounts we are satisfied, that the judicial character is rendered despicable far below what a European can easily comprehend. Eminent legal men cannot be induced to accept the office of a judge, the emoluments of which are only two thousand dollars, or 450*l.* yearly, whilst as barristers, or as attorneys, they may often make five times as much: and as to honour, none can be derived from an office which is commonly conferred by the governor on the most active and intemperate of his electioneering adherents; and who must depend, for their continuance in office, on their conduct in party politics, and their subserviency to the populace. We may allude, for example, to the recent case of Dr. Cooper, who is now president of Columbia College, South Carolina. This person, an Englishman, who left his country on account of his democratic principles, was received with open arms by the democrats of America, and appointed President Judge in Pennsylvania. In that office, we are assured, he was eminently useful—until he was removed by an address of the legislature, the assigned reason being, that *he had compelled a man to take off his hat in court.*

The law, which, in some parts of America, compels a judge to vacate his office at a certain period of life,—a period deemed in Europe not too late for commencing the judicial course—must have a tendency to degrade the whole class of judges. Chancellor Kent, one of the ablest men in America, filled that dignified office in the state of New York many years. Having attained the age of sixty, he was compelled by the law to resign; and having formed no accumulation in office, to resume his practice at the bar, and plead before his successor, against competitors who were, perhaps, in their nurses' arms when he first ascended the bench; and who had of course formed connexions with all that survived of his former clients. There is a something in every

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breast that revolts against such things as these! The society which permits them may deserve commendation on isolated points: its general tone of feeling must be hard and unlovely.

The Americans are very wroth with the Chinese for calling them 'Englishmen of the second chop-stick;' but unless Duke Bernard of Saxe Weimar and Captain Hall have treated us to nothing but cunningly devised fables, there is a considerable interval between the general tone of moral feeling in that country, and what has long been established in this. The eager, the universal desire of gain is unchecked by any classes of persons, or by any considerable number of individuals who are so easy in their circumstances as not to dwell constantly on subjects connected with profit or loss. This seems to produce an unhappy effect; it leads, with a great portion of the people, to a species of trickery and deceit, similar to what is found among the traffickers of the Hebrew nation scattered through Poland, Germany, Holland, and England. The speculations of land-jobbers, bankers, manufacturers, merchants, and dealers in funds, conduct operations to an extent, and influence a great part of the people in a degree far beyond any thing that can be conceived by those acquainted even with the most gambling marts of commerce in Europe. The laws favour this spirit by their leniency to insolvent debtors, and it is scarcely deemed any disgrace to undergo repeated bankruptcy. The possession or the appearance of wealth alone can give consequence to individuals who do not aim at public offices; and the only means of obtaining such offices are virulent abuse, inflated declamation, loud pretensions, and a spirit of eager, bustling, intriguing impudence. Steady principles of action can be rarely imbibed, beyond that prevalent selfishness, where the young people are accustomed to cast off so early the restraint of parental authority, and leave their homes to provide for themselves in other towns, or in the depths of their forests. It was remarked both by Duke Bernard and Captain Hall how little of what is the charm of European society (the cheerful and delicate intercourse between the sexes) is known in America. In their meetings at private houses, at balls, at races, and with those of lower stations at fairs and markets, the men and the women form distinct parties; and Captain Hall, after a variety of judicious observations on the fact, in which he is corroborated by the Duke, says,

'I lost no fair opportunity, therefore, of conversing with intelligent persons on the subject, being naturally anxious to reach some explanation of so remarkable a distinction between America and any other Christian country I was acquainted with. The result of all my observations and enquiries is, that the women do not enjoy that station in society which has been allotted to them elsewhere; and consequently

sequently much of that important and habitual influence which, from the peculiarity of their nature, they alone can exercise over society in more fortunately arranged communities, seems to be lost.

'In touching upon so delicate a subject, it is right to state at once, and in the most explicit terms, that I never had, for one instant, the least reason to suppose that there was any wish on the part of the men to depress the other sex, or indeed any distinct knowledge of the fact. On the contrary, I conscientiously believe that there exists universally among the men a sincere and strong desire, not only to raise women up, but to maintain them on the fairest level with themselves. But I conceive that the political and moral circumstances now in full action in America are too strong to be counterbalanced even by these laudable endeavours.'—vol. ii. p. 153.

The circumstances to which this conduct is to be attributed appear to be the constant attention every man deems it right to pay to political or rather electioneering affairs—the endless litigations in which their cheap *justice* (so called) involves them—the complicated intrigues in all their local politics, and the eagerness for bargaining,—all of which matters the females of the family meddle very little with, because the want of servants compels them to exercise the common offices of the domestic establishment. The remarks Captain Hall makes on this subject are of so much importance to the right understanding of the difference between the state of European and American society, that nothing but want of sufficient space prevents us from extracting, for the gratification of our readers, the whole passage from page 151 to 162 in the second volume.

Another evil which seems naturally to arise from the same causes is too prevalent among all classes not to be noticed: we mean the excessive use of ardent spirits. From the unsocial nature of the meals in America, where parties appear at table and vanish with incredible expedition, there seems to be less of that drinking which arises from the spirit of good-fellowship, and which, within moderate bounds, inspires and nourishes kindly feeling, than is indulged in Europe; but an infinitely greater portion of that solitary and brutal dram-drinking which is known with us only among the rudest and most dissolute part of the vulgar. Dram-drinking has been quaintly called the natural child, and the boon companion of democracy; and is probably not less hurtful to health of body than that system of government appears to be to the intellectual powers of the mind. To this degrading habit the most judicious of the Americans attribute the vast increase of their paupers, the requisite extension of the hospitals, and the great number of deaths among the patients in them. The extent of distillation is surprising. In the proceedings of the American Temperance Society of November, 1827, now before us,

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us, it is affirmed, ' that half as many tons of domestic spirits are annually produced as of wheat and flour; that in the state of New York, in the year 1825, there were 2264 grist-mills, and 1129 distilleries for whisky.' In a communication to this society from Philadelphia, it is calculated, ' that out of 4151 deaths in that city in the year 1825, 335 may be referable solely to the abuse of ardent spirits.'

We are not so ridiculous as to doubt that there are to be found in America many individuals of excellent moral principles and habits, as well as many of respectable intellectual attainments; but such characters appear to exist in spite of the prevailing system, and to exert very little influence on the general tone either of opinion or feeling. Democracy administers no stimulus to produce such characters; and though the republican government may need, it will never use them, whilst all power shall depend on the fluctuating will, and coarse passions of an illiterate, conceited, encroaching, and sottish populace. The poet, Cowper, writing in 1783, says ' the great men of America are yet unborn.' The only American names that have as yet obtained European celebrity, were nevertheless in full vogue long before 1783; and this fact is one which we see no other method of accounting for but the adoption of Captain Hall's opinion: viz., that the whole of their revolutionary system has been and is hostile to the development, or public employment, of eminent qualities for anything but intrigue and bluster.

We purposely forbear any observations on the views our two authors have taken of Canada. The state of that interesting country ought not to be glanced at slightly; and though we highly approve of most of the opinions given by Captain Hall, we must defer to some future period a full examination of those two provinces, of their progress, their present state, and future prospects. We cannot, however, but rejoice at the favourable report, made by so accurate an observer, as to the condition of the settlers recently conveyed to that country under the auspices of government, and the careful arrangements made by Mr. Wilmot Horton. We are gratified at the opinion which Captain Hall, as a professional man, has given respecting the capability of defending itself against the United States which Canada possesses. We ourselves have never had a doubt on the subject, but we think the opinion of such an officer, supported by such reasons, may tend to check that eager desire for territorial conquest which led the United States into their last childish and injurious contest with this country. If the Captain's pages infuse moderate and pacific views among the Americans, he will have rendered them the most valuable of services; for it is only by maintaining peace that they have any chance

chance of preventing their country from exhibiting the same scenes of misery as are now displaying themselves in the sister democracies of Mexico, Peru, Columbia, and La Plata.*

It will no doubt strike some persons who have visited America, or read much concerning the Americans in their own daily or weekly papers, that Captain Hall must have collected many curious instances of vulgarity, knavery, sottishness, and hypocrisy, which would have been both amusing and characteristic; and that, having omitted them, he has scarcely dealt fairly with his readers. Collections of anecdotes of even a scandalous nature are certainly attractive to some classes of readers, and are easily furnished by some classes of writers; but Captain Hall has, we venture to say, done himself honour with all whose good opinion he could value, by the course which he has adopted. If we may penetrate the motives of an author from his work, we should judge his design has been to render sundry topics intelligible and popular, which are not generally understood or relished by the bulk of the people, but to whom right views on those subjects are likely to be practically beneficial. He evidently wishes to show the advantages which flow from the distinctions of rank, and the folly of bringing people out of the lowest station to fill high offices. He tries to show that real freedom, in its valuable practical sense, includes a vast deal of restraint, some external and some internal—much self-denial from prudential motives—much heart-felt sacrifice of selfishness—much obedience to the laws and customs, not only of society in general, but of that particular class in which we are placed: in other words that mutual dependence is the soul of good order and of social happiness, as well as of national honour—and that the independence, of which the Americans, if they go on as at present, seem likely to obtain perfect fruition, is another term for downright selfishness. His book may very probably do good in America; we hope it will—but we are quite

* Whilst speaking of British America, we are led to remark one oversight into which Captain Hall has fallen. In the small map prefixed to his work, evidently taken from an American one, he has copied, without correction, their boundary line; and thus thrown into the States a district which we claim as belonging to Great Britain. We do not think the modesty of any American negotiator would induce him to fortify the claims of his government to the disputed territory, by an appeal to such an authority as that of Messrs. Lea and Carey of Philadelphia. But the eye of an English officer should not have been so careless on such an occasion. Having made a remark on the negligence respecting the map, we ought, in justice to Captain Hall's industry, to notice a companion to his work, in a collection of etchings he has published from views taken with the camera lucida. We hope this mode of cheaply depicting objects in foreign countries will be adopted by other travellers, as it will accommodate the public at a cheap rate with views, which, when taken and engraved in the usual manner, raise the expense of publications to a rate beyond the means of most readers. We are satisfied, from our own experience, that a short practice with the valuable instrument we have named is sufficient to enable any one to take accurate outlines of the most interesting objects with great expedition.

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sure it must do so here. It may furnish many well-disposed persons with arguments by which to defend the blessings they enjoy; it may decide the wavering, and confuse, if not silence, the turbulent, and the revolutionary—of whom we suppose no free country will ever be entirely devoid, though we certainly do not remember the period at which one heard less of them in England than at present.

Captain Hall spent but a few days at New Orleans, and passed with too much expedition through the New Western States to make many observations on the state of society there; whereas Duke Bernard remained nearly two months in Louisiana, and made several resting-places in some of the other States. He represents the city of New Orleans as a place necessarily of great commercial importance, on account of its being the only outlet to a vast extent of country. The situation, naturally unhealthy, is rendered miserably so by the filthiness and dissolute morals of a population in great part composed of slaves. In the winter months, which he passed there, it seemed to be the seat of every kind of dissipation and debauchery, though commercial distress was extensively experienced at the time, by the failure of cotton speculations in Europe.

As it was the Carnival, a season of greater or less dissipation in all Catholic countries, there were balls and masquerades every night. These the Duke visited, and has described. He says—

‘The admission to the masquerade was a dollar; but as many free tickets admitted guests, the assembly was of a very mixed description. The unmasked ladies of the better sort sat by themselves, in a bow window inclosed by a railing, on seats somewhat elevated. A few masks were in character, but none remarkable. Twice there were scuffles, which began by a blow on the face, and ended by a regular boxing-notch on the floor, without any interference from the police. On the same evening there was a Quaderon ball. A Quaderon is the offspring of a white father and a mulatto mother. They are generally free; and as many of them have whiter complexions than most of the white Creoles, they are difficult to be distinguished. Though the females at this ball were all free, yet there prevails the greatest prejudice against them on the part of the white Creoles, on account of their black origin. Marriages between the white and coloured races are forbidden by the laws of the State. As the Quaderons look with disdain on the black and mulatto men, and will not mix with them, no other choice is left to them but to become mistresses to whites. Such engagements are considered as marriages by the coloured females, and are commonly subjects of formal contract with their families. Many of these females have inherited property from their fathers and enjoy good fortunes. Their situation is however most depressed. They must not ride in a carriage through the streets; and it is only at night that their protectors can take them in his carriage to a ball.

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They are not allowed to sit in the presence of a white female, nor enter their apartments without special permission. The whites have the power, for any crime proved by two witnesses, to inflict on these poor creatures the same punishment of flogging as is applied to the slaves. Many of them have a better education, and conduct themselves with more decency and morality, than most of the white Creoles, and make their protectors more happy than the others do their husbands; and yet the white females speak always of these unfortunate creatures with the utmost contempt and greatest bitterness. The coarsest language of the high nobility of the Old World is never so haughty, arrogant, or contemptuous towards the inferior classes as that which is heard in this boasted freest State of this Liberal Union, from the Creoles to the Quaderons. The comparison is, indeed, wonderfully striking to every observing and reflecting man. Many fathers, on account of these relations of classes, send their coloured daughters to France, where, with a correct education and a decent fortune, their black blood is no impediment to respectable matrimonial connexions. I found the ball much more decent than the masquerade. The coloured girls were under the eyes of their mothers, were elegantly dressed, and conducted themselves with decency and modesty. I did not remain long, but returned to the other assembly, and took care not to inform the white females where I had been.'

We have no doubt but the profligate contempt for morals, and the neglect of education, as well as of religion, which characterise the motley population of Louisiana will be gradually changed, and somewhat improved, when they shall have become more amalgamated with their fellow-citizens of the Anglo-American races. The French language is still predominant; manners are formed on the lowest standard of that nation; and the mixture of Spanish creoles gives to the whole a stamp of greater ferocity, and a character of more revengeful feeling, than the French, when not excited by revolutionary passions, have commonly exhibited. The Duke visited the courts of law and attended to their proceedings. In one instance, Counsellor Lloyd had grossly insulted Judge Turner in the street, and was tried for the offence by the judge. He was half drunk, but defended himself by the vilest abuse of the judge, who could not silence him. No jury was appealed to; but (we suppose for contempt of court) he was ordered to give security for one year's good behaviour, and, not procuring sufficient bail, was committed to prison.

Leaving New Orleans, our traveller ascended the magnificent river Mississippi by a steam-boat as far as St. Louis; and thence proceeded up the Ohio to a town recently established, and called (in compliment to the memory of General Washington) Mount Vernon. The Duke then visited the township of New Harmony, brought by Mr. Rapp into a flourishing condition between the

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years 1814 and 1825, and in the latter year purchased by Mr. Owen, as a theatre for his philanthropic speculations. The estate consisted of about twenty-five thousand acres, for which, with the buildings, the agricultural implements, and the stock of cattle, Mr. Owen contracted to pay one hundred and twenty thousand dollars. He had been in possession of his purchase eleven months when the Duke arrived. His chimerical views, respecting the equality of man, the injurious effect of all religious belief, the propriety of divorces at will, the separation of children from their parents at two years of age, the eating at a common table, with many similar nostrums, had been begun to be reduced to practice; but in the opinion of Duke Bernard, with no prospect of anything but confusion, regret, and, finally, dispersion. A few fanatics like himself, of both sexes, and of different countries, have joined him,—one, an elderly man, a native of Philadelphia, learned, and, according to report, rich, had become a partner with Mr. Owen, and was commonly expected to leave his property to the institution. The others seem to have been brought to the establishment by necessity, or by views as whimsical as those of the founders. The fine ladies of the party complained of the cookery at the common table, the young and accomplished girls were annoyed by being called from their harps and their pianos to milk the cows. The young men of education had their soft hands filled with blisters from the hard handles of the axes and spades. The uniform suited the taste of neither the belles nor the beaux. The children seemed in the happiest state, as they worked but little, and learned but little, and were spectators of almost nightly balls and concerts. The Duke says,

‘After the milking of the cows, during which operation some of the young ladies were trodden upon, and others fouled by the beasts, I made a water party with the young ladies and some of the young philosophers. The evening was fine and moonlight; the air mild. The beautiful Miss Virginia forgot the griefs of the cow-house, and cheered us with a charming song. Afterwards, we assembled in the new school-room, where all the young gentlemen and ladies (*comme il faut*) met together. In spite of the applauded equality, these would not mix with the common people; and I believe almost all those members who have been well brought up are disgusted, and will soon quit the society. The amusements of the evening were cotillions, reels, and waltzes. Several of the ladies were disposed to make objections to dancing, it being Sunday. It was maintained, however, that in this sanctuary of philosophy such prejudices must be abolished; and the arguments used, combined with the inclination of the fair, gained the victory.’

We are not disposed to join in the opinion given to the Duke by one of the leading members of the executive government of the state,

state, that Mr. Owen is insane ; but the intense interest he seems to take in his projects, the ease with which he overlooks every obstacle opposed to them, and the confidence which he places in the extensive and speedy effects of his proceedings, certainly warrant the suspicion of some most extraordinary aberration of mind.

‘ I had,’ says Duke Bernard, ‘ a discussion with Mr. Owen on his system and his expectations. He looks to nothing less than completely to renovate the world, to extirpate all evil, to banish all punishments, to create like views and like wants, and to guard against all conflicts and hostilities. When his system of education is combined with the great improvements made, and to be made, in the mechanic arts, each man will provide for his own wants, and all trade will totally cease. I tried to show him the inapplicability of his system to the state of Europe, and even of the United States ; but he was too positively certain to admit of the least doubt of the results of it. It pained me to see a man so humane as he is, suffer himself to be led away by his passion of cosmopolitism, as to think and say he can renovate the world, especially as at this very moment almost every member of his society with whom I conversed alone, assured me, that he had been deceived in his expectations, that Mr. Owen had begun every thing on too extensive a scale, and had admitted too many members without proper care in the selection.’

The Duke visited, also, a settlement of the Shakers, a description of religionists, to whom some allusion has been made in our article on the Co-operatives. He describes the supper of this community, amounting to about six hundred individuals of both sexes, at which he was present :—

‘ There were,’ he says, ‘ two long tables spread, each the whole length of both sides the hall, with benches, and in the middle of the room a table as a sideboard. At the sound of an horn, the males by the right-hand door, and the females by the left-hand door, marched into the room in double files, halted, and then fronted to the table. Those who were to wait upon them then drew up in a line in front. At a signal, each dropped on their knees, offered up a silent act of devotion, rose and took a seat at the table, and ate their meal in perfect silence. Then, after the very hasty meal was ended, in the same military kind of order, at quick time, the company retreated from the hall.’

This society is founded upon the principle of a community of property and an equality of rights. The peculiar dogma of the foundress, Ann Lee, that because God was to be praised by King David as well with the merry dance as with the voice and instruments of music, the same practice is indispensable for ever ; whilst it serves to keep them separate from other communities, does not remove or weaken any of those social or moral ties, upon the stability of which all such institutions must be founded. The firm-

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ness of their faith is secured as well by the military and monastic regulations as by the seclusion of the members from all intercourse with the rest of the world; and though they receive proselytes with hesitation, and only after a six months' probation, their numbers are kept up. Two of the brotherhood, a father and son, both Frenchmen, visited the Duke, and examined him. The son assumed all the humility of a monk, did not open his eyes, but explained the principles of the sect out of the Bible, and maintained that they were the only Christians who really lived in conformity to the spirit of the Gospel. It is obvious, as remarked by our author, that Mr. Owen has borrowed the laws of his new social system from the Shakers; only that they are kept together by the bond of religion, and the hope of another and better world, in which his plans are altogether deficient.

We can only afford room for one more extract from the Duke's book. It is one with which our readers will be gratified.

'I have in general remarked (says he), that in the greater part of the United States the good society either belong to the episcopal church, or at least give the preference to its mode of worship. It is here the *ton* to go to that church, whereas the methodist church is in general only attended by the lower classes. It is a luxury to have a pew in the episcopal church, and decidedly polite to offer to strangers a seat in it.'

We have read both these works with pleasure, and our satisfaction has been heightened by observing that, in spite of democratical principles and degrading practices, the people of the United States have not wholly abandoned either the lessons or the examples of their ancestors. It is to these they are indebted for whatever of a humanized aspect they exhibit when compared to the emancipated colonies of other nations. However forgetful, or scornful, or even abusive, a son may become to a virtuous and intelligent father, that father can never forget the ties of nature; he may grieve for the follies his son displays—he may be slightly vexed by his scorn or abuse, but he will still feel a pride in everything good that may attend his progress. When he blames, it will be more in sorrow than in anger, and he will always have the gratifying reflection that his own principles have laid the foundation of his children's prosperity, and his own example and conduct secured to them a character and estimation in the world which cannot be easily forfeited. Notwithstanding all that Captain Hall may have said, we are satisfied that feelings such as these are commonly entertained in England towards America. We see nothing in that country to excite envy or jealousy; and little to excite our serious regret, except that the executive and judicial functions should be conferred by the voice of those least compe-

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tent to make a proper selection of persons for such duties—and that in consequence of the want of a church establishment, both bigotry and infidelity are making alarming progress.

Note.

WE ventured to say, in the preceding article, that Captain Hall's book was calculated to do much good in America, provided the people of that country received the instruction it contains in the proper spirit; and our opinion that it would be so received in at least one extensive circle of American society, derives strong confirmation from a letter written by a gentleman of high standing in the United States, which is put into our hands as this sheet is passing through the press.

'Captain Hall's Travels,' says the writer, 'have, of course, been reprinted here, and are, by this time, in the hands of every man, woman, and child in the country. Their political cast is the cause that an impartial judgment can hardly be formed upon them, as party spirit has seized upon the book, and marked it for her own. That spirit must be allowed time to subside, before a cool judgment can be obtained. For my part, my mind is taken up with other subjects than politics, and I have long since adopted the opinion of the poet:—

"Aime l'Etat, tel que tu le vois être :
S'il est Royal, aime la Royauté ;
S'il est de peu, ou bien Communauté,
Aime le aussi, car Dieu l'y a fait naître."

There is much sense in these lines, and I find that Captain Hall *aime la Royauté* sufficiently; for my part it is natural I should be attached to la Communauté; but, after all, these things are relative, and I do not see why they should interrupt good humour between men. You recollect, no doubt, the answer of the great Frederick of Prussia to certain ministers of Neufchatel, who wanted some of their brethren to be punished because they preached against the doctrine of eternal punishments—"Mes sujets de Neufchâtel ont le droit d'être damnés aussi long temps qu'il leur plait." And so we have a right to be mob-ruled, or priest-ruled, or king-ruled, as we think it most agreeable. You also know the answer which a wife gives, in one of Molière's plays, to one who wanted to prevent her husband from beating her—"Je veux être battue, moi!" But what is the best—to be beaten or not to be beaten? I say, ask the back. To be serious—the *permanency* of states, like the life of individuals, is, in my opinion, the first thing to be considered. The constitution of a state, like that of a man, after it is once formed, cannot, without danger—or, rather, cannot materially be changed—but by death. It must, therefore, after it has taken a certain root, at all events be allowed to remain. Some constitutions are more liable to disease than others; that is a great misfortune;

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misfortune; but all that is to be done is to cure the disease, or prevent it by an hygienic course. But the constitution is not to be tampered with. Nature will sometimes effect changes, but art cannot. The constitution of England is an example of this. Great changes have taken place in it; but always by the course of things—never by pre-meditated design. There are, no doubt, peccant humours in our constitution, as there are in others; nature will throw them off—for the body is strong—but in what manner it is impossible to foretell. Disturbances and revolutions are the diseases of states; we have no right to expect to be free from them, more than others—I hope they will not produce death.

But, be that as it may, *opinion* is a great and most powerful agent in political events, and it should have the greatest possible freedom. Therefore, far from putting to death, as the Athenians did, a foreigner who freely expresses his sentiments respecting our affairs, we ought to thank him, if it were only for making us *think* on these important subjects. That he should prefer his own form of government to ours is to be expected. He has a strong interest in the permanency of his own state, and, unless he be a disappointed or a discontented man, he loves what ensures safety to his person and property. The strength of this feeling is astonishing; I have known a Turkish subject, a native of Jerusalem, but a Christian, and, of course, a rayah or slave, who thought the Turkish form of government the best in the world.

“But,” said I to him, “a Turk may strike you and you cannot resent it.” “Oh,” answered he, “there’s our glorious privilege. If a Turk insults me, I complain to the judge; he sends for the Turk, and says to him—What! you rascal, do you dare to insult a woman? (for you must know, sir, that we have the prerogatives of women, as the priests have in Christian countries;) and the Turk is reprimanded or punished as the case may be.” I told him that I thought it was shocking they should cut off their sultans’ heads without ceremony. “Oh,” said he, “that’s beautiful! Look at France, how much blood it has cost them to get rid of *one* sultan! We, on the contrary, cut off the head of our own at once, and no more is said about it; the tranquillity of the state is not disturbed.”

“To every objection I made to him, he answered in the same manner; and at last concluded by saying—“I would rather live in Jerusalem upon bread and water, than in your country upon the best that the land affords!” . . . Thus, also, the Spaniard boasts that the Inquisition has saved his country from the miseries of religious wars. For my part, I love the government under which I live, and I honour those who love their own—I don’t except my poor Turk.”

